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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/318,159	05/25/99	RHODES	H 07653/020002

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NEW YORK NY 10111

MM12/0214

EXAMINER

MUNSON, G

ART UNIT

PAPER NUMBER

2811

DATE MAILED: 02/14/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

# Office Action Summary

Application No.

318,159

Applicant(s)

H. RHODES

Examiner

G. MUNSON

Group Art Unit

2811

—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE THREE MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

## Status

- ☒ Responsive to communication(s) filed on 8 NOVEMBER 1999.
- ☐ This action is FINAL.
- ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- ☒ Claim(s) 43-67 is/are pending in the application.
- Of the above claim(s) 47, 48, 61-67 is/are withdrawn from consideration.
- ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- ☒ Claim(s) 43-46, 49-60 is/are rejected.
- ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- ☐ Claim(s) \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

- ☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.
- ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119 (a)-(d)

- ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
  - ☐ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been received.
  - ☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_.
  - ☐ received in this national stage application from the International Bureau (PCT Rule 1.7.2(a)).

\*Certified copies not received: \_\_\_\_\_

## Attachment(s)

- ☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 2
- ☐ Interview Summary, PTO-413
- ☒ Notice of Reference(s) Cited, PTO-892
- ☐ Notice of Informal Patent Application, PTO-152
- ☒ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Other \_\_\_\_\_

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Claims 47, 48 and 61-67 are withdrawn from consideration as being for non-elected species, the election having been made *without* traverse in the response, paper No. 5, filed 8 November 1999.

Claim 58 is rejected under 35 U.S.C. 112, second paragraph, as being identical to claim 54.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(c) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 43-46 and 49-52 are rejected under 35 U.S.C. 103 as unpatentable over Schuegraf et al and Jeng et al, considered together. The references are cited by applicant. Impurity dopants in a substrate are conventional, as applicant would agree and as shown by Jeng et al (column 3), which would have been obvious to use for substrate 10 of Schuegraf et al. The claims are broad in scope.

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The "ions" read on subportions of substrate 10 under dielectric regions 24. The claimed "ions" do not distinguish over other "ions" in substrate 10.

Claims 43-46 and 49-60 are rejected under 35 U.S.C. 102 as unpatentable as shown by Jeng or Narita. See Figure 12 of Jeng; Figure 1 of Narita. For Jeng, the "first" dielectric regions read on subportions of dielectric layer 7; the "ions" read on subportions of P type substrate 1 under dielectric layer 7. For Narita, the "first" dielectric regions read on subportions of field oxide 14; the "ions" read on subportions of P type substrate 10 under field oxide 14. The claims are broad in scope.

Claims 43-44, 46-55 and 57-60 are rejected under 35 U.S.C. 102 as unpatentable as shown by Kohara et al. See Figure 2c. The "first" dielectric regions read on subportions of oxide layer 2.

Claims 43-45 and 49-52 are rejected under 35 U.S.C. 102 as unpatentable as shown by Kooi et al. See Figures 8, 10.

Claims 43-45 and 49-52 are rejected under 35 U.S.C. 102 as unpatentable as shown by Doo. See Figure 6, column 4.

Claims 43, 44 and 49-52 are rejected under 35 U.S.C. 102 as unpatentable as shown by Mastroianni et al. See Figure 3J.

Claims 43-45 and 49-52 are rejected under 35 U.S.C. 102 as unpatentable as shown by Custode et al. See Figures 1, 13.

Claims 43, 44, 46 and 49-52 are rejected under 35 U.S.C. 102 as unpatentable as shown by Joo et al. See Figure 15 with "ions" region 68.

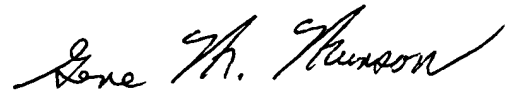
No claim is allowed.

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